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PRUDENCE H. PARKS

ATTORNEY AND COUNSELOR AT LAW  
11301 POPES HEAD ROAD  
FAIRFAX, VIRGINIA 22030703-278-9272  
(PHONE AND FAX)

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JUL 12 1994

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF SECRETARY

July 11, 1994

EX PARTE

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Secretary  
Federal Communications Commission  
1919 M Street, N.W.  
Room 222  
Washington, D.C. 20554

RE: PR Docket 93-61: Automatic Vehicle Monitoring Systems

Dear Mr. Caton:

On Friday, July 8, representatives of the natural gas utility industry met with the appropriate confidential assistants and legal advisors to Chairman Hundt and Commissioners Quello, Ness and Chong regarding the proposed licensing of Automatic Vehicle Monitoring (AVM) in the proceeding indicated above. The individuals and companies representing the natural gas utility industry included: Washington Gas (Ron Boone and Prudence Parks), Southern California Gas Company (George Lyon), Philadelphia Gas Works (Paul Donohoe) and Peoples Gas and Light of Chicago (Steve List)

The purpose of these meetings was to discuss the recent filing of AirTouch Teletrac, outlining its experience with Part 15 interference, and the consensus paper and compromise proposal offered jointly by Airtouch Teletrac, Southwestern Bell, MobileVision, Pinpoint Communications and Uniplex. While the utility industry intends to file within the next 10 days a more complete analysis of these filings, the meetings on July 8th served to underscore four major points.

First, we do not believe that the so-called compromise offers anything new to the debate. The proposed procedures to resolve interference problems simply reiterate current methodology. Moreover, the ultimate resolution should accommodation be unattainable remains the same: to force the Part 15 users to cease operations.

Second, the evidence presented of interference cases is merely anecdotal and based on outdated circumstances. None of the AVM systems cited in the filing is fully built-out. Increasing numbers and varieties of Part 15 devices are in the hands of consumers everyday. One manufacturer of automatic meter reading devices (AMR's) reports sales of 8 million and orders for 2 million more, with many

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utilities in the very beginning stages of installing this equipment. It would seem foolhardy to base rules governing the future use of the 902-928 MHz spectrum on obsolete information that has limited applicability to future circumstances.

Third, AirTouch Teletrac should be commended for its past efforts to accommodate Part 15 users in cases of interference, even going so far as to adjust the interfering Part 15 device at Teletrac expense rather than forcing the device to cease operations. However, it would seem truly disingenuous to imply that these conciliatory efforts would continue when the systems are fully built-out and instances of interference multiply as more Part 15 devices enter the market. In the case of AMR's, the unsophisticated nature of this low cost device means it simply cannot be adjusted. Even if they could be adjusted, it would be truly fallacious from an economic standpoint to believe that Teletrac would adjust at its own expense up to 10 million AMR's soon to be operating in the spectrum.

Fourth, and most importantly, the so-called compromise does not address the single most important issue for utilities: minimizing or eliminating AVM interference to AMR's. As stated in previous filings, AMR's allow utilities to obtain accurate and reliable meter readings on a monthly basis. If the "read rate" drops substantially from current 98% levels, the missed readings would have to be read in the traditional manner, that is, manually, and the entire economics of the AMR system are jeopardized.

We freely admit that we do not know this to be the case. But that is precisely the point: there is no hard data upon which to draw conclusions about interference to AMR's by AVM's. It would seem both reasonable and advisable that, before the FCC issues a rule that has the potential to degrade utility service and render obsolete \$500 million worth of ratepayer-financed equipment, tests should be conducted to quantify and characterize the interference that would be caused to AMR's by AVM systems.

We wish to make it very clear that we do not propose these tests as a dilatory tactic. Frankly, we are tired of the gamesmanship and positioning being engaged in by other parties in this proceeding. From a business standpoint, an expeditious resolution of this situation is imperative: inventory needs to be reordered and our AMR installers need to know whether they still have jobs. But we do insist that the ruling by the FCC be supported by hard data and reasonable expectations of future spectrum use. A rule based on anything less would certainly appear not to serve the public interest and may damage the integrity of the FCC itself.

Two copies of this notice are herewith submitted to the Secretary of the FCC in

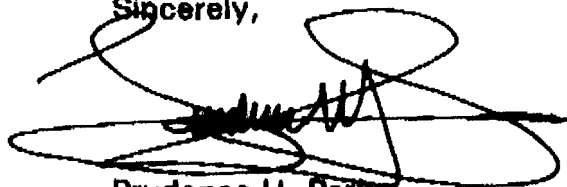
**William F. Caton**

**July 11, 1994**

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accordance with Section 1.1206(a)(1) of the Commission's Rules. The additional information cited above will also be submitted as part of the record on the above-referenced proceeding as soon as it is available.

Sincerely,

A handwritten signature in black ink, appearing to read "Prudence H. Parks", is written over a large, loopy circular flourish.

**Prudence H. Parks**  
**Federal Government Relations**  
**for Washington Gas**